

REMARKS

The Office Action mailed December 11, 2003 has been carefully considered. In response to the Office Action, Applicants have amended the application. Applicants request that the Examiner consider the following remarks, and then pass the application to allowance.

Art Rejection Under 35 U.S.C. § 102(e)

Claims 1, 4, 5, 15, 19 and 22 were rejected under 35 U.S.C. § 102(e) as anticipated by Ausemes et al. (U.S. Pat. No. 6,434,403 B1).

Claim 1, from which Claims 4, 5, 15, 19 and 22, depend, has been amended to state that the housing is “adapted to detachably mate with the personal data assistant.” This feature is not disclosed Ausemes et al.. Rather, Ausemes et al., discloses an integral device in which the PDA components and the communication device share a common housing, without any detachability capacity for these two devices. The Ausemes et al. device does not provide the modularity advantages of the present invention, nor would it serve to augment the capabilities of a PDA to permit it to communicate wirelessly in the manner of the present invention.

Art Rejection Under 35 U.S.C. § 103(a)

Claims 2, 3, 6, 7 and 8 were rejected under 35 U.S.C. § 103(a) as unpatentable over Ausemes et al. in view of Tso (U.S. Pat. No. 5,890,016). Claim 9 was rejected under 35 U.S.C. § 103(a) as unpatentable over Ausemes et al. in view of Matsuo (U.S. Pat. No. 6,525,293). Claims 10 and 11 were rejected under 35 U.S.C. § 103(a) as unpatentable over Ausemes et al. in view of Bouvrette (U.S. Pat. No. 4,626,622). Claim 12 was rejected under 35 U.S.C. § 103(a) as

unpatentable over Ausemes et al. in view of Kelly (U.S. Pat. No. 4,819,235). Claim 13 was rejected under 35 U.S.C. § 103(a) as unpatentable over Ausemes et al. in view of Zicker (U.S. Pat. No. 5,594,782). Claims 14, 20, 21 and 23 were rejected under 35 U.S.C. § 103(a) as unpatentable over Ausemes et al. in view of Want. Claims 16 – 18 and 24 were rejected under 35 U.S.C. § 103(a) as unpatentable over Ausemes et al. in view of Salo (U.S. Patent 6,609,148). Claim 25 was rejected under 35 U.S.C. § 103(a) as unpatentable over Ausemes et al. in view of Jones (U.S. Pat. No. 6,191,743). Claims 26, 30 – 32 and 35 were rejected under 35 U.S.C. § 103(a) as unpatentable over Ausemes et al. in view of Salo and further in view of Foladare (U.S. Pat. No. 5,894,595). Claims 27 – 29 were rejected under 35 U.S.C. § 103(a) as unpatentable over Ausemes et al., Salo and Foladare and further in view of Tso. Claim 33 was rejected under 35 U.S.C. § 103(a) as unpatentable over Ausemes et al. and Salo, Foladare, and further in view of Bouvrette. Claim 34 was rejected under 35 U.S.C. § 103(a) as unpatentable over Ausemes et al. and Salo, Foladare, and further in view of Jones. Claims 36, 37 and 39 – 41 were rejected under 35 U.S.C. § 103(a) as unpatentable over Ausemes et al. and Tso, and further in view of Foladare. Claim 38 is rejected under 35 U.S.C. § 103(a) as unpatentable over Ausemes et al., Tso and Foladare, and further in view of Salo. Claim 42 is rejected under 35 U.S.C. § 103(a) as unpatentable over Ausemes et al., Tso and Foladare, and further in view of Bouvrette. Claims 43 – 45 were rejected under 35 U.S.C. § 103(a) as unpatentable over Ausemes et al., Tso and Foladare, and further in view of Want. Claim 46 is rejected under 35 U.S.C. § 103(a) as unpatentable over Ausemes et al., Tso and Foladare, and further in view of Jones.

Claim 1, from which Claims 2 – 25 depend, has been amended to recite:

a modem within the housing, the modem adapted to provide communication capability for the personal data assistant through an established communication link between the modem and the personal data assistant; and

logic in the housing adapted to periodically check for message notifications *independently of the established communication link.* (Emphasis added).

This feature is neither disclosed nor suggested by the combination of Ausemes et al. with any of Tso, Matsuo, Bouvrette, Kelly, Zicker, Want, Salo or Jones, even if such a combinations were proper. Rather, for example in Tso, messages are retrieved only by actions initiated by the user through the PDA interface, and message notifications are therefore not independent of a communication link between the modem and the personal data assistant. The above-emphasized language of Claim 1 finds support, for example, on page 11, lines 3-5 of the written disclosure.

Remaining independent Claims 26 and 36 have been amended to include a similar feature of checking for messages independently of a link or connectivity between the modem and the personal data assistant. None of the references applied in the rejections of the claims, considered singularly or in combination, disclose or suggest this feature. The claims therefore define a patentable invention and passage of same to allowance is respectfully requested.

Conclusion

In view of the preceding discussion, Applicants respectfully urge that the claims of the present application define patentable subject matter and should be passed to allowance. Such allowance is respectfully solicited.

If the Examiner believes that a telephone call would help advance prosecution of the present invention, the Examiner is kindly invited to call the undersigned attorney.

Respectfully submitted,

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